

REMARKS

The Examiner's attention to this application is appreciated, and reconsideration is respectfully requested. This response is supported by a Supplemental Declaration For Utility Application (under 37 C.F.R. 1.132) by Dr. William J. Rea and Dr. Bertie B. Griffiths, which is submitted herewith.

Status of Claims

Claims 49-64, 67, and 70 are pending in the application. No amendments to Claims 49-64, 67, and 70 are being made.

Applicants note the Examiner's prior statement that Claims 49-64 are generic to the species of Claims 67, (and previously canceled 68 and 69), and Applicants have (i) previously elected the species of Claim 67, without traverse; and (ii) previously identified Claims 49-64 and Claim 67 to encompass the elected species. Claim 70 is similar to pending Claim 49 except that the preamble does not include the language "having an irregular cell cycle for T lymphocytes."

Claim Rejections under 35 USC 102(a) and 103(a)

The Supplemental Declaration for Utility Application (under 37 C.F.R. 1.132) clarifies that each of William J. Rea and Bertie B. Griffiths made a substantial contribution to the conception and substance of Griffiths (1994) and collaborated in the preparation of that presentation. It is respectfully believed that this Declaration overcomes the rejections under 35 USC 102(a) and 103(a).

Conclusion

Reconsideration and allowance of the pending claims is respectfully requested.

If a telephone interview will help conclude any matters of form or otherwise, the undersigned would sincerely appreciate a telephone conference and normally can be reached at the office number below and promptly would return any missed telephone call within one business day.

The Commissioner of Patents is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 50-3037. A duplicate copy of this fee authorization sheet is enclosed for this purpose.

Dated: January 26, 2009

CERTIFICATE OF SERVICE

I hereby certify that this correspondence is being transmitted electronically to the U.S. Patent and Trademark Office MAIL STOP AMENDMENTS, COMMISSIONER OF PATENTS, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450 on:

January 26, 2009

Date of Deposit

Todd E. Albanesi

Printed Name of Person Signing Certificate


Signature

January 26, 2009

Date of Signature

Respectfully submitted,



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